UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,162	11/27/2001	Andrew Rodney Ferlitsch	SLA1037	5966

				EXAMINER
52894	7590	01/10/2006		EBRAHIMI DEHKORDY, SAEID

KRIEGER INTELLECTUAL PROPERTY, INC.
P.O. BOX 1073
CAMAS, WA 98607

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *26 September 2005*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-16* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-16* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some *   c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Response to Arguments

1.   Applicant's arguments filed 9/26/05 have been fully considered but they are not

persuasive. Applicant argues that Regarding claims 2-12 and 14-16 the case for the motivation

has not been established. Examiner disagrees and points out the Snipp reference, Fig.6 item 114

the pSepFile, column 6 lines 58-60 where this file is used to make the separation pages in the

print job being printed by the printer, That fact makes it obvious to a person of ordinary skill in

the art to combine the two references. The mere fact of Snipp teaching the existence of the

separation file for the print job would go further by Costello using the print job separator to

combine the separation page with the body of the print job. Regarding claim 13 the form of the

print job has been modified to fit the characteristics, which would fit the original job.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claim 1-12 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Snipp (U.S. patent 5,699,495) in view of Costello (U.S. patent 5,547,178)

Regarding claim 1, 14, 15 and 16 Snipp discloses: said method comprising: receiving

an original print job at a print system component (note column 3 lines 66-67 and column

4 lines 1-3) analyzing said original print job with said print system component (note

Fig.2 items 28, 30, 38B and 36, column 3 lines 64-67 and column 4 lines 1-10, where

document generated by the application 26 processed through by the these components)

However Snipp does not quite teach: A method for combining a print job separator page

with a print job, and creating a combined print job comprising said original print job and

a print job separator page. On the other hand Costello discloses: A method for

combining a print job separator page with a print job (note column 13 lines 36-45) and

creating a combined print job comprising said original print job and a print job separator

page (note column 13 lines 36-47 and specifically lines 40-45 where the separator or in

this case the banner sheet is created automatically and added to the combined with the

print job to specify the print job characterization, also note Figs.8&9 where the banner

sheet explains the characterization of print job, the separator or in this case banner

points out the characterization of the job such as number of pages, the date of the

printing, name of the user and etc., column 14 lines 15-51). Therefore it would have

been obvious to a person of ordinary skill in art at the time of the invention to modify

Snipp's invention according to the teaching of Costello, where Costello teaches the way

the banner or in this case the separator is created to then be combined by the original

print job for the purpose of identifying the characterization of the print job.

Regarding claim 2 Snipp discloses: The method of claim 1 wherein said print system

component is a print processor (note Fig.2 item 34)

Regarding claim 3 Snipp discloses: The method of claim 1 wherein said print system

component is a spooler (note Fig.2 item 40)

Regarding claim 4 Snipp discloses: The method of claim 1 wherein said print system

component is a print assistant (note Fig.2 item 38A, printer driver which assist on the

process).

Regarding claim 5 Snipp discloses: The method of claim 1 wherein said print system

component is located on a print server (note Fig.2 items 40 and 34 the spooler and print

processor).

Regarding claim 6 Costello discloses: The method of claim 1 further comprising

sending said combined print job to a printer (note column 15 lines 37-42).

Regarding claim 7 Snipp discloses: The method of claim 1 further comprising sending

said combined print job to a print server (note column 6 lines 57-62).

Regarding claim 8 Costello discloses: The method of claim 1 wherein said creating

comprises adding data for said print job separator page to said original print job (note

column 15 lines 37-47).

Regarding claim 9 Snipp discloses: The method of claim 1 wherein said creating

comprises creating a new print job file comprising data for said print job separator page

and said original print job (please note column 5 lines 53-67 and column 6 lines 1-6).

Regarding claim 10 Costello discloses: The method of claim 1 wherein said combined

print job comprises said original print job preceded by a job separator page that

identifies said original print job (note column 14 lines 22-24).

Regarding claim 11 Costello discloses: The method of claim 1 wherein said print job

separator page comprises a summary of characteristics of said original print job (note

Fig.8 and 9, column 14 lines 51).

Regarding claim 12 Snipp discloses: transmitting an original print job to a print system

component (note Fig.2 column 2 lines 64-67 and column 4 lines 1-15) determining

characteristics of said original print job with said print system component (note column 6

lines 1-4) However Snipp does not quite disclose: A method for combining a print job

separator page with a print job said method comprising: compiling print job separator

page data based on said characteristics; and creating a combined print job comprising

said original print job and a print job separator page; wherein said print job separator

page comprises said print job separator page data based on said characteristics. On the

other hand Costello discloses: A method for combining a print job separator page with a

print job (note column 13 lines 48-60) said method comprising: compiling print job

separator page data based on said characteristics (please note column 13 lines 40-45

and specifically, column 14, Figs.8 and 9, lines 15-52) and creating a combined print job

comprising said original print job and a print job separator page (note column 13 lines

27-45) wherein said print job separator page comprises said print job separator page

data based on said characteristics (please note column 13 lines 40-45 and specifically,

column 14, Figs.8 and 9, lines 15-52). Therefore it would have been obvious to a person

of ordinary skill in art at the time of the invention to modify Snipp's invention according

to the teaching of Costello, where Costello teaches the way the banner or in this case

the separator is created to then be combined by the original print job for the purpose of

identifying the characterization of the print job.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.　　　　Claim 13 rejected under 35 U.S.C. 102(b) as being anticipated by Snipp (U.S. patent 5,699,495)

Regarding claim 13 Snipp discloses: A method for modifying an original print job, said method comprising: transmitting an original print job to a print system component (note Figs.2&3, column 3 lines 52-67 and column 4 lines 1-16 where the print job created by the application program 26 is transmitted to the spooler36) determining characteristics of said original print job (note column 5 lines 65-67 and column 6 lines 1-4 where the characteristics of the job is determined like number of copies and form) and modifying said original print job to add a description of said characteristics to said original print job (note column 6 lines 4-20, where the form change due to the printer characteristics is change through the application 26 and send back to the printer 14 of Fig.2).

Contact Information

➢　Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (571) 272-7462.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (571) 272-7471.

Any response to this action should be mailed to:

Assistant Commissioner for Patents

Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for *formal* communications; please mark

"EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for *informal* or *draft* communications, please label

"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Knox building on 501 Dulany Street, Alexandria, VA.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
January 8, 2006

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER